

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

John Bowen,

Civil No. 10-0088 (PJS/XXX)

Plaintiff,

v.

ORDER

St. Paul Police Department; and
The City of St. Paul,

Defendants.

This matter is before the Court on the Report and Recommendation of Magistrate Judge Susan Richard Nelson dated December 9, 2010. No objections to the Report and Recommendation have been filed within the requisite time period.

Based on the foregoing, and all the files, records and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendants' motion to dismiss [Doc. No. 8] is **GRANTED**; and
2. This action is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 30, 2010

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge